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§ 301. Charge of property transferred to the United States

The Administrator of General Services shall have charge of all lands and other property which have been or may be assigned, set off, or conveyed to the United States in payment of debts, and of all trusts created for the use of the United States in payment of debts due them; and of the sale and disposal of lands assigned or set off to the United States in payment of debts, or vested in them by mortgage or other security for the payment of debts: *Provided*, That this section shall not apply to real estate which has been or shall be assigned, set off, or conveyed to the United States, in payment of debts arising under the internal-revenue laws, nor to trusts

created for the use of the United States, in payment of such debts due them.

(R.S. §3750; May 10, 1934, ch. 277, §512(b), 48 Stat. 759; Pub. L. 89-30, §2, June 2, 1965, 79 Stat. 119.)

REFERENCES IN TEXT

The internal-revenue laws, referred to in text, are classified generally to Title 26, Internal Revenue Code.

CODIFICATION

R.S. §3750 derived from acts May 29, 1830, ch. 153, §1, 4 Stat. 414; Mar. 2, 1867, ch. 169, §4, 14 Stat. 472.

AMENDMENTS

1965—Pub. L. 89-30 substituted "Administrator of General Services" for "General Counsel for the Department of the Treasury".

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Treasury, with certain exceptions, to Secretary of the Treasury with power to delegate, see Reorg. Plan No. 26 of 1950, §§1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, 1281, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Coast Guard and Commandant of Coast Guard excepted from transfer when Coast Guard is operating as part of Navy under sections 1 and 3 of Title 14, Coast Guard.

Act May 10, 1934, abolished offices of General Counsel and Assistant General Counsel for Bureau of Internal Revenue and offices of Solicitor and Assistant Solicitor of the Treasury, and transferred powers, duties, and functions thereof to General Counsel for Department of the Treasury.

CROSS REFERENCES

Administration of real estate acquired by the United States in payment of debts arising under the internal revenue laws, see section 7506 of Title 26, Internal Revenue Code.

Distrain on real estate, see section 6331 et seq. of Title 26.

Purchase of lands sold on execution by the United States, see section 3715 of Title 31, Money and Finance.

§ 302. Repealed. Oct. 31, 1951, ch. 654, §1(95), 65 Stat. 705

Section, R.S. §3749, related to renting or selling of unproductive lands, or other property of United States acquired under judicial process or otherwise in collection of debts. See sections 483 and 484 of this title.

§ 303. Repealed. Aug. 5, 1947, ch. 493, §2, 61 Stat. 774

Section, acts July 28, 1892, ch. 316, 27 Stat. 321; May 29, 1928, ch. 901, §1(29), 45 Stat. 988, related to lease of property not required for public use by Secretary of the Army. See section 2667 of Title 10, Armed Forces.

§ 303a. Repealed. Oct. 31, 1951, ch. 654, §1(96), 65 Stat. 705

Section, act Mar. 3, 1879, ch. 182, 20 Stat. 383, related to leasing, by Secretary of the Treasury, of unoccupied and unproductive property of United States under his control, and annual reports in connection therewith. See sections 483, 484 and 492 of this title. The provision requiring the submission of annual reports had been previously repealed by act Aug. 7, 1946, ch. 770, §1(49), 60 Stat. 870.

§ 303b. Lease of buildings by Government; money consideration

On and after June 30, 1932, except as otherwise specifically provided by law, the leasing of

buildings and properties of the United States shall be for a money consideration only, and there shall not be included in the lease any provision for the alteration, repair, or improvement of such buildings or properties as a part of the consideration for the rental to be paid for the use and occupation of the same. The moneys derived from such rentals shall be deposited and covered into the Treasury as miscellaneous receipts.

(June 30, 1932, ch. 314, § 321, 47 Stat. 412.)

CROSS REFERENCES

Lease of real or personal property by Secretary of a military department, section as inapplicable to, see section 2667 of Title 10, Armed Forces.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 303c of this title; title 10 sections 2667, 2878; title 14 section 685; title 16 sections 170, 20f, 450ss-4; title 20 section 196; title 36 section 493; title 38 sections 8122, 8162, 8201; title 42 sections 1502, 1544, 2473.

§ 303c. Maintenance and repair of Government improvements under concession contracts

Privileges, leases, and permits granted by the Secretary of the Interior for the use of land for the accommodation of park visitors, pursuant to section 3 of title 16, may provide for the maintenance and repair of Government improvements by the grantee notwithstanding the provisions of section 303b of this title, or any other provision of law.

(Pub. L. 87-608, Aug. 24, 1962, 76 Stat. 405.)

§ 304. Disposal of lands acquired by devise

The General Services Administration is authorized to take custody, for disposal as excess property under the Federal Property and Administrative Services Act of 1949, as amended [40 U.S.C. 471 et seq.], of such lands as have been or may hereafter be acquired by the United States by devise.

(Mar. 3, 1903, ch. 1007, 32 Stat. 1112; Oct. 31, 1951, ch. 654, § 4(8), 65 Stat. 709.)

REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, as amended, referred to in text, is act June 30, 1949, ch. 288, 63 Stat. 377, as amended. Provisions of that act relating to disposal of excess government property are classified to chapter 10 (§ 471 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 471 of this title and Tables.

CODIFICATION

Section is based on act Mar. 3, 1903, popularly known as the "Sundry Civil Appropriation Act, fiscal year 1904". It superseded a provision of act Aug. 7, 1882, ch. 433, § 1, 22 Stat. 319, which authorized the Secretary of the Treasury to "sell such lands as have been acquired by devise," etc.

AMENDMENTS

1951—Act Oct. 31, 1951, amended section generally. Prior to amendment, section authorized Secretary of the Treasury to sell the type of lands described upon such terms and after public notice by advertisement as he might deem best for the public interest.

CROSS REFERENCES

Disposition of real property located outside of the District of Columbia, see section 304a of this title.

§ 304a. Disposition of surplus real property; assignment to governmental agency; lease; sale

Notwithstanding any other provisions of law, whenever any real property located outside of the District of Columbia, exclusive of military or naval reservations, heretofore or hereafter acquired by any Federal agency, by judicial process or otherwise in the collection of debts, purchase, donation, condemnation, devise, forfeiture, lease, or in any other manner, is, in whole or in part, declared to be in excess of its needs by the Federal agency having control thereof, or by the President on recommendation of the Administrator of General Services, the Administrator of General Services is authorized (a) to assign or reassign to any Federal agency or agencies space therein: *Provided*, That if the Federal agency to which space is assigned does not desire to occupy the space so assigned to it, the decision of the Administrator of General Services shall be subject to review by the President; or (b) pending a sale, to lease such real property on such terms and for such period not in excess of five years as he may deem in the public interest; or (c) to sell the same at public sale to the highest responsible bidder upon such terms and after such public advertisement as he may deem in the public interest: *Provided, further*, That if no bids which are satisfactory as to price and responsibility of bidder are received as a result of such public advertisement, the Administrator of General Services is authorized to sell such property by negotiation, upon such terms as may be deemed to be to the best interest of the Government, but at a price not less than that bid by the highest responsible bidder.

(Aug. 27, 1935, ch. 744, § 1, 49 Stat. 885; July 18, 1940, ch. 635, §§ 1, 3, 54 Stat. 764, 765; June 30, 1949, ch. 288, title I, § 103(a), 63 Stat. 380.)

AMENDMENTS

1940—Act July 18, 1940, inserted last proviso and substituted "Federal Works Administrator" for "Secretary of the Treasury" and "Commissioner of Public Buildings" for "Director of Procurement".

TRANSFER OF FUNCTIONS

Functions of Federal Works Agency and of all agencies thereof, together with functions of Federal Works Administrator, and functions of Commissioner of Public Buildings and Public Buildings Administration transferred to Administrator of General Services by section 103(a) of act June 30, 1949, which is classified to section 753(a) of this title. Federal Works Agency, office of Federal Works Administrator, office of Commissioner of Public Buildings, and Public Buildings Administration abolished by section 103(b) of act June 30, 1949.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Transfer of functions by act June 30, 1949, effective July 1, 1949, see section 605 of act June 30, 1949 set out as an Effective Date note under section 471 of this title.

CROSS REFERENCES

Lands of certain recreational demonstration projects as subject to sections 304a, 304b to 304e of this title, see sections 459r to 459t of Title 16, Conservation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 304a-1, 304a-2, 304b, 304d, 304e of this title; title 16 section 459t.